

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

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07-20-01  
#4

09/870, 871

In re Application of:

CART, John Stephen

Docket No.: 15564-1

**Title:** Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

DECLARATION BY INVENTOR SUPPORTING PETITION  
TO MAKE SPECIAL UNDER 37 CFR § 1.102(c)

**Energy Program**

M.P.E.P. § 708.02 VI states that “special” status may be accorded any patent application that materially contributes to “the discovery or development of energy resources...” Applicant’s invention, entitled “Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition,” accomplishes this goal.

Every drilling operation, such as for oil and gas exploration, requires the circulation of a drilling fluid. The drilling fluid acts to remove drilled “cuttings” and to cool and lubricate the drill bit, among other functions. A significant portion of the fluid is lost to the surrounding formations during this process, due to seepage or fractures in the strata.

Applicant’s invention is a composition of drilling fluids including elastomeric crumb rubber. When utilized during a drilling operation, the present invention can significantly reduce the amount of fluid lost to the surrounding formations. The crumb

rubber is capable of bridging and sealing permeable subterranean formations better than materials currently used for this purpose.

The cost of drilling fluid is quite significant. Numerous additives must be used to obtain the proper density and viscosity of the fluid. Frequently, fluid with a base of diesel or synthetic oil is required, resulting in an even higher cost. Because some formations can lead to the loss of over 100 barrels of fluid per hour, a composition which can significantly reduce fluid loss would result in huge savings. Crumb rubber added to a drilling fluid according to the present invention can reduce fluid loss perhaps better than any other known additive.

The present invention, by reducing considerably the cost of a drilling operation, facilitates the discovery and production of many non-renewable energy sources. Therefore, the invention materially contributes to "the discovery or development of energy resources..." and should be made special.

### **Environmental Program**

M.P.E.P. § 708.02 V accords "special" status to any application that enhances the environment "by contributing to the restoration and maintenance of the basic life-sustaining natural elements, i.e., air, water, and soil." The present invention makes such a contribution by providing a cost effective, safe way of disposing of troublesome, potentially hazardous automobile tires.

There are currently very few ways desirable ways of disposing of automobile tires. They have a tendency to rise to the top in landfills, collect water, and provide nesting grounds for disease carrying mosquitos. Many are left in large piles in the open, where they contribute to mosquito problems, sometimes catch fire (causing air pollution), and are generally unsightly.

By providing an economically advantageous (and environmentally friendly) way of disposing of tires, the present invention encourages proper disposal. Therefore, under 37 CFR § 1.102(c), this application should be "made special" because the invention will "materially enhance the quality of the environment."

For the foregoing reasons, Applicant respectfully requests that the "Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition" application be "made special."

6-29-01  
Date

John Stephen Cart  
John Stephen Cart



IN THE UNITED STATES OF AMERICA  
PATENT AND TRADEMARK OFFICE

APPLICANT: John Steven Cart

TITLE: Composition of Drilling Fluids Comprising Ground  
Elastomeric Crumb Rubber Material and a Method of Decreasing  
Seepage and Whole Mud Loss Using Such Composition

DOCKET NO: 15564-1

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

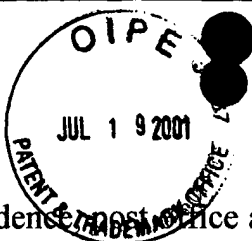
**TYPE OF DECLARATION**

This declaration is of the following type:

**(Check one applicable item below)**

- ☒ original.
- ☐ design.
- ☐ supplemental.
  
- ☐ national stage of PCT.
  
- ☐ divisional.
- ☐ continuation.
- ☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**



My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention named below.

John Stephen Cart  
Citizen of the United States

19117 West Hwy. 90  
Crowley, LA 70527

### **TITLE OF INVENTION**

COMPOSITION OF DRILLING FLUIDS COMPRISING GROUND ELASTOMERIC  
CRUMB RUBBER MATERIAL AND A METHOD OF DECREASING SEEPAGE  
AND WHOLE MUD LOSS USING SUCH COMPOSITION

### **SPECIFICATION IDENTIFICATION**

the specification of which:

**(complete (a), (b) or (c))**

- (a) ☐ is attached hereto.
- (b) ☒ was filed on May 31, 2001, as ☒ Serial No. 09/870871 or ☐  
\_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (c) ☐ was described and claimed in PCT International Application No.  
\_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on  
\_\_\_\_\_ (if any).

### **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,



(also check the following items, if desired)

☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

**PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))**

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

**(complete (d) or (e))**

- (d) ☒ no such applications have been filed.  
(e) ☐ such applications have been filed as follows.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

**RUSSEL O. PRIMEAUX, PTO REGISTRATION NUMBER 37,213**  
**JOHN D. LAUVE, PTO REGISTRATION NUMBER 46,408**

☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).



**SEND CORRESPONDENCE AND DIRECT TELEPHONE CALLS TO:**

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**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full name of sole or first inventor

  
Steve Cart

Date: 6-29-01

Country of Citizenship: United States

**(if no further pages form a part of  
this Declaration, then end this Declaration  
with this page and check the following item)**

**[X] This declaration ends with this page.**